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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 NATIONAL DEFAULT SERVICING
9 CORPORATION,

10 Plaintiff(s),

11 v.

12 FERRILL J. VOLPICELLI, et al.,

13 Defendant(s).
14

2:03-CV-841 JCM (PAL)

15 ORDER

16 Presently before the court is petitioner, appearing *pro se*, Ferrill Volpicelli's motion for
17 production of transcripts at plaintiffs' expense. (Doc. # 44). No response has been filed.

18 Petitioner's motion fails for numerous reasons.¹ The court need not address all of them. To
19 begin, the motion is on a pre-printed form and every time the form says "government expense,"
20 Petitioner has crossed out the word "government." (*See id.*). Petitioner has replaced "government"
21 and written in the word "plaintiffs". (*See id.*).² The effect is to take a document intended to seek
22 documents at the government's expense and to use that document to obtain documents at a private
23 party's expense.
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26 ¹ The court acknowledges the motion is *pro se* and gives the petitioner every benefit of the
27 doubt.

28 ² The crossing out and substitution include the title on the motion.

1 Petitioner does not state which specific documents he requests to be produced, other than
2 simply stating all documents. (*See id.*).

3 Petitioner asserts the documents are needed for an appeal, but the docket does not indicate
4 that an appeal has been filed. Further, the last court action in this case occurred in December 2004,
5 so any attempted appeal is likely untimely.

6 Petitioner has not demonstrated that the motion or appeal would be non frivolous, nor
7 demonstrated what issues the transcripts would help him present at appeal. Petitioner has cited no
8 case law supporting and provided no legal argument.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, DECREED that petitioner's motion for
11 production of transcripts (doc. # 44) be, and the same hereby, is DENIED.

12 DATED December 10, 2012.

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15 UNITED STATES DISTRICT JUDGE